

R

JCWS/CS 14 JUN 2004

06/10/2004 10:53 12548343571

PROPRIETARY RIGHTS

PAGE 01/04

Page 1 of 2



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FIL FEE REC'D	ATTY.DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/805,580	03/20/2004	1661	530		1	1	1

Catherine Anne Whealy  
Proprietary Rights International  
P.O. Box 220  
Tolar, TX 76476

CONFIRMATION NO. 1405

FILING RECEIPT

OC000000012880419\*

Date Mailed: 06/07/2004

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

6/10/04

Applicant(s)

Heinrich Westhoff, Sudlohn, GERMANY;

There is no priority claim!

Assignment For Published Patent Application

Josef and Heinrich Westhoff Gartenbau-Spezialkulturen, Sudlohn, GERMANY;

Domestic Priority data as claimed by applicant

4 Pages total

Foreign Applications

EUROPEAN PATENT OFFICE (EPO) 2003/0197 02/03/2003

Request for Non-Publication was submitted with the application. Please correct filing receipt.

If Required, Foreign Filing License Granted: 06/04/2004

Projected Publication Date: 09/16/2004

Non-Publication Request: No

YES!

Early Publication Request: No

Title

Lobelia plant named 'Weslolav'

Thank you!

## UNITED STATES DEPARTMENT OF COMMERCE PATENT OFFICE

Receipt is acknowledged of the Plant Patent Application below via Express Mail.  
It will be considered in its order and you will be notified to its examination.

Commissioner of United States Patent &amp; Trademark Office

GROUP NUMBER	FILING DATE	SERIAL NUMBER
	17302 U.S. PTO	10/805580

APPLICANT: HEINRICH WESTHOFF  
TITLE: LOBELIA PLANT NAMED 'WESLOLAV'



Pages of Description Claim, & Abstract	Sheets of Photos	Declar.	Assign.	Nonpublication Request	052904	Filing Fee, Assignment Recordation Fee
15	1	YES	YES	YES		\$570.00

PAGE 2/4 \* RCVD AT 6/10/2004 11:44:50 AM [Eastern Daylight Time] \* SVR:USPTO-EFXRF-2/1 \* DNI:7469195 \* CSID:12548343571 \* DURATION (mm:ss):01:32

**PATENT APPLICATION TRANSMITTAL LETTER &  
FORM FOR EXPRESS MAIL CERTIFICATION**

**EXPRESS MAIL LABEL NUMBER:** ET 593534485 US  
**DATE OF DEPOSIT:** MARCH 20, 2004

The Honorable Commissioner of Patents  
Alexandria, Virginia 22313-1450

Dear Commissioner:

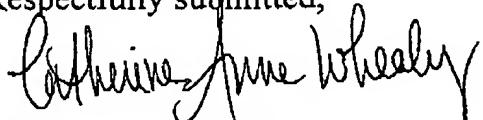
I hereby certify that the attached U.S. Plant Patent Application including the items listed below are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to Mail Stop Patent Application, Commissioner of Patents, Alexandria, Virginia 22313-1450. Transmitted herewith for filing under 35 U.S.C. §111 and 37 CFR §1.53 is the plant patent application of:

**INVENTOR:** HEINRICH WESTHOFF  
**TITLE:** LOBELIA PLANT NAMED 'WESLOLAV'

In connection with this application, the following are enclosed:

- 15 Pages of written description, claims and abstract.
- 1 Sheet of photographs, in color, in duplicate, as required by Rule 165.
- 1 Executed Declaration of the Inventor including Authorization of Agent.
- 1 Assignment of the Invention to Josef und Heinrich Westhoff Gartenbau-Spezialkulturen of Südlohn, Germany.
- 1 Nonpublication Request under 35 U.S.C. 122(b)(2)(B)(i).
- 1 **Check in the amount of \$570.00 U.S. for the required U.S. Plant Patent application filing fee (\$530.00) and Assignment Recordation fee (\$40.00).**

Respectfully submitted,

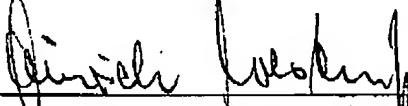


Catherine Anne Whealy  
Registration No. 39,419  
P.O. Box 220  
Tolar, Texas 76476  
TEL: 1-254-835-5150

<b>NONPUBLICATION REQUEST UNDER 35 U.S.C. 122(b)(2)(B)(i)</b>	First Named Inventor	<b>WESTHOFF, Heinrich</b>
	Title	<b>Lobelia Plant Named 'WESLOLAV'</b>

I hereby certify that the invention disclosed in the attached application has not and will not be the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing.

I hereby request that the attached application not be published under 35 U.S.C. 122(b).

Signed:  Date: 11th nov 2003  
Name: **HEINRICH WESTHOFF**, Applicant

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application upon filing.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant must notify the United States Patent & Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).